

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

JAMES M. PLASSE,

Plaintiff,

vs.

**TYCO ELECTRONICS
CORPORATION,**

Defendant.

Civil Action No. 04-CV-30056-MAP

AFFIDAVIT OF DOUGLAS F. SEAVER

1. I am a partner with the law firm of Hinckley, Allen & Snyder LLP in Boston, Massachusetts. I submit this Affidavit in support of the application of Tyco Electronics Corporation for attorney's fees in the above matter. I have no personal interest in this matter and do not represent either of the parties in this matter.

2. I am a graduate of Yale University (1968) and Georgetown University Law School (1973).

3. I joined Hinckley, Allen & Snyder in 1995. Previously, I was a partner at Warner & Stackpole in Boston (1991-1995) and a partner and associate at Gaston Snow in Boston (1973-1991).

4. I am admitted to practice in all state and federal courts in Massachusetts and in New York state. I have represented parties in litigations pending in all vicinages of the United States District Court for the District of Massachusetts, including Springfield.

5. Throughout my legal career, a substantial portion of my practice has been devoted to the representation of management in a broad range of employment law matters. I have been lead counsel in hundreds of discrimination, retaliation, wrongful termination and other employment-related matters. I have represented management in numerous state and federal courts; before state and federal agencies, including the U.S. Department of Labor, Office of Civil Rights, EEOC, and Department of Education; and before the National Association of Securities Dealers.

6. I have written extensively on many employment law topics and frequently lecture before various business, professional, and educational groups on employment law topics, including trial practice and electronic discovery issues.

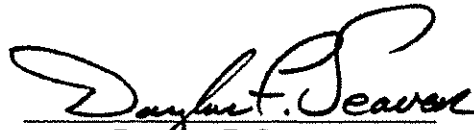
7. I am a member of the Labor and Employment Law sections of the Massachusetts and Boston Bar Associations.

8. For over five years I have been the hiring partner for our Boston office and I am familiar with the billing rates for partners and associates in the Boston and Springfield areas, especially mid-to-large size firms which represent management in employment law matters.

9. In my experience, defense counsel who specialize in employment law matters typically charge the following hourly rates, based upon their years of experience: Partners with more than 20 years experience, \$350-\$500; Partners with 15-20 years experience, \$300-\$425; Partners with fewer than 15 years experience, \$300-\$350; Senior Associates, \$250-\$290; and Junior Associates, \$210-\$235.

11. I understand that defense counsel in the above captioned matter have submitted a fee application to the Court with the following proposed rates: Partners with 15-20 years experience, \$295/\$296 per hour; Senior Associates, \$244 per hour; and Junior Associates, \$225 per hour. In my experience, these rates are actually below prevailing markets rates for partners and on the low side for associates who specialize in the management-side employment law.

Dated: 9/26/2006


Douglas F. Seaver

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